

10-21-05

2125
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17410-00010
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark Anthony Juneau :
Serial No.: 09/833,823 : Art Unit: 2125
Filed: April 12, 2001 : Examiner: Carlos R. Ortiz Rodriguez
For: METHODS AND SYSTEMS :
FOR THE EVALUATION OF
POWER GENERATING
FACILITIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

1. Transmitted herewith is:
Transmittal (3 pgs., in duplicate); Amendment in response to Office Action dated September 21, 2005 (2 pgs.); Return post card

STATUS

2. Applicant
☒ claims small entity status.
☐ is other than a small entity.

CERTIFICATE OF MAILING BY EXPRESS MAIL TO
THE COMMISSIONER FOR PATENTS

Express Mail Label No.: EV593385123US
Date: October 20, 2005

I hereby certify that the documents listed above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Daniel M. Fitzgerald, Reg. No. 38,880

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
<input type="checkbox"/> first month	\$ 120.00	\$ 60.00
<input type="checkbox"/> second month	\$ 450.00	\$ 225.00
<input type="checkbox"/> third month	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> fourth month	\$ 1,590.00	\$ 795.00
<input type="checkbox"/> fifth month	\$ 2,160.00	\$ 1,080.00
	Fee Due	\$

If an additional extension of time is required, please consider this a petition therefor.
(Check and complete the next item, if applicable)

- ☐ An extension of _____ months has already been secured. The fee paid therefor \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDITIONAL RATE FEE	ADDITIONAL RATE FEE
TOTAL INDEP.	MINUS		=0	x \$25.00 = \$	x \$50.00 = \$
	MINUS		=0	x \$100.00 = \$	x \$200.00 = \$
—	FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$180.00 = \$	+ \$360.00 = \$
				TOTAL ADDITIONAL FEE \$	OR TOTAL ADDITIONAL FEE \$

- (a) ☒ No additional fee for Claims is required

OR

- (b) ☐ Total additional fee for claims required \$

FEE PAYMENT

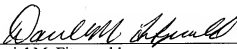
5. Attached is a check in the sum of \$
☐ Charge Deposit Account No. 01-2384 the sum of \$
A duplicate of this transmittal is attached.

FEE DEFICIENCY

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

- ☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.
7. ☐ Other:


Daniel M. Fitzgerald
Reg. No. 38,880
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63102
314/621-5070



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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Office Action mailed September 21, 2005 has been carefully reviewed and the following remarks have been submitted in consequence thereof. In response to the election requirement set forth in the Office Action, Applicant elects, with traverse, for prosecution in this application all claims of Group I as identified in the Office Action. Claims 1-13, 28-33, 35-42, 43-51, 52-73, and 78-83 are in the elected claim group. According to the Office Action, Claims 1-13, 28-33, 35-42, 43-51, 52-73, and 78-83 are drawn to "recommending a power generating facility to a business entity".

Reconsideration of the restriction requirement imposed under 35 U.S.C. § 121 is respectfully requested. The restriction requirement is traversed because the inventions set out by the claims in Groups I, II and III are clearly related. Applicant submits that a thorough search and examination of any of these claim groups would be relevant to the examination of the other groups and would not be a serious burden on the Examiner. Because a thorough search and examination of any of these claim groups would be relevant to the examination of the other groups, the assertion that the claim groups have acquired a separate status in the art because of